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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 SOPHAL LIM,

13 Defendant.

Case No. CR13-54RSL

ORDER DENYING MOTION FOR  
RECONSIDERATION

14 This matter comes before the Court on defendant's *pro se* motion for reconsideration of  
15 the Court's order denying defendant's motion for modification of his sentence pursuant to 18  
16 U.S.C. § 3582. Dkt. # 256. The Court DENIES the motion for the reasons that follow.

17 In September 2013, defendant Sophal Lim pleaded guilty to various counts related to a  
18 conspiracy to manufacture marijuana. Dkt. # 96. On December 9, 2013, the Court sentenced  
19 defendant to 60 months' imprisonment, the mandatory minimum, followed by four years of  
20 supervised release. Dkt. ## 150, 171. On December 8, 2014, defendant moved to reduce his  
21 sentence pursuant to 18 U.S.C. § 3582 on the basis of Amendment 782 to the United States  
22 Sentencing Guidelines; the Court denied this motion in June 2015, Dkt. # 242.

23 On January 17, 2017, defendant moved to modify his sentence under 18 U.S.C. § 3582.  
24 That provision authorizes courts to reduce a previously imposed sentence in light of  
25 "extraordinary and compelling reasons" warranting such a reduction, the defendant's advanced  
26 age, or subsequent amendments to the Sentencing Guidelines. In his 2017 motion, defendant

27 ORDER DENYING MOTION  
28 FOR RECONSIDERATION - 1

1 asked the Court to grant him twelve months in a halfway house, followed by six months of home  
2 confinement, so that defendant could take advantage of computer training and career guidance  
3 available at the halfway house. Dkt. # 245. The Court denied defendant's motion but indicated  
4 that defendant might nonetheless be able to obtain some of the support he seeks through the  
5 terms of his supervised release following his term of imprisonment (anticipated in June 2018).  
6 Dkt. # 254.

7 In April 2017, defendant filed this motion for reconsideration, arguing that the Court can  
8 and should recommend to the Bureau of Prisons that defendant be placed in a halfway house and  
9 then home confinement for the final eighteen months of his term of imprisonment. Dkt. # 256.  
10 The Director of the Bureau of Prisons has the authority to make this determination under 18  
11 U.S.C. § 3624(c). While defendant is correct that the Court is free to "recommend" such a  
12 determination to the Bureau of Prisons, the Court lacks the authority to order the Bureau of  
13 Prisons to reach this determination. Placement in a halfway house and then home confinement  
14 may be appropriate for defendant, but the Director of the Bureau of Prisons is best situated to  
15 make this decision, and accordingly the Court declines to make the recommendation that  
16 defendant requests.

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18 Defendant's motion for reconsideration (Dkt. # 256) is DENIED.

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20 DATED this 21st day of June, 2017.

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23 Robert S. Lasnik  
24 United States District Judge